JAN 2 0 2004 A 2390P4487X

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Deborah L. See, et al. )

Serial No.: 09/675,578 )

Filed: September 29, 2000 )

For: INCREASED RELIABILITY OF DATA STORED ON FLASH MEMORY IN APPLICATIONS SENSITIVE TO POWER LOSS

Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450 Mail Stop: Petitions

In Re Application of:

Examiner: Ellis, Kevin L.

Art Unit: 2188

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: } ;

# PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 C.F.R. § 1.181(a)

Sir:

Applicant hereby petitions to withdraw the Holding of Abandonment for the

Repln. Ref: 02/0above-identified patent application under 37 C.F.R. § 1.181(a). It is respectfully submitted that a timely response to the Office Action dated March 28, 2003 was deposited with the U.S. Postal Service as first class mail under 37 C.F.R. § 1.8

on June 27, 2003. The response was received by the U.S. Patent and

Trademark Office on June 30, 2003. Therefore, applicant respectfully requests reconsideration and withdraw of the holding of abandonment of the above-

identified patent application on the basis that there is in fact no abandonment.

The response had the correct attorney docket number. In a few places such as the postcard and cover sheet, the last digit of the serial number was wrong. The correct serial number was used of the response itself.

01/26/2004 SLUANG1 00000033 09675578

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The following documents that support applicant's request accompany this Petition:

- 1) a copy of the response mailed June 27, 2003, including the Information Disclosure Statement;
- a copy of the returned postcard which was stamped-dated June 30,
   2003 from the U.S. Patent and Trademark Office mail room, confirming the
   receipt of the response from applicant mailed June 27, 2003; and
  - 3) a copy of the two cancelled checks.

A check for \$130.00 for the Petition pursuant to 37 C.F.R. § 1.17(h) accompanies this Petition.

If there are any additional charges, please charge Deposit Account No. 02-2666. A duplicate of this Petition is enclosed for deposit account charging purposes.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: \_\_\_\_\_\_, 2004

Edwin H. Taylor Reg. No. 25,129

12400 Wilshire Blvd. Seventh Floor Los Angeles, CA 90025 (408) 720-8300

#### **EXPRESS MAIL CERTIFICATE OF MAILING**

| Express Mail" mailing label number   |
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| Date of Deposit  |
| hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the |
| Commissioner of Patents and Trademarks, Washington, D.C. 20231.  Patricia Richard  |
| Typed or printed name of person mailing paper or fee)  |
| (Signature of person mailing paper or fee)   |

RECEIVED JAN 2 8 2004 OFFICE OF PETITIONS ECEIVE JUL 0 8 2003 RECEIVED BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP LOS ANGELES JAN 2 9 2004 Technology Center 2100 Filing Issue Date: September 29, 2000 Scrint/Patent No. 09/675,576 Cheni: Intel Corporation Title: INCREASED RELIABILITY OF DATA STORED ON FLASH MEMORY IN APPLICATIONS SENSITIVE TO POWER-LOSS
BSTZ File No. 42390. P4487X Any/Se Atty/Secty Initials: LJV/KGS/dam
Docket Due Date: April 28, 2003 BSTZ File No.: 42390.P4487X Dute Mailed: June 27, 2003 The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon: \$410.00 TWO \_\_\_ Month(s) Extension of Time 11 Appe d Raief (\_\_\_\_ pgs.) (in triplicate) Information Disclosure Statement & PTO-1449 (6 pgs.) 
(huck No. 58493 [1] Application - Utility ( - pps, with cover and abstract) \$180<u>.</u>00 Amt: [] Issue Fee Transmittal Application - Ride 1.53(h) Confinentian (.... pgs) ☐ Notice of Appeal Application - Rule 1.53(5) Divisional (.... pgs ) Petition for Extension of Time-in duplic Application - Rate 1,53(b) CIP (.... pgs.) Application - Rule 1.53(d) CPA Tectsmin.d ( \_\_\_\_\_pgs.)  $\Box$ Petition for \_\_\_\_\_ Postcard Application - Design ( .... pgs ) Power of Attorney ( ... - pgs.) . Application (PCI (..... pgs.)) 70N 3 0 5003 Preliminary Amendment (..... pgs.) : [] Application - Prive doubt ( ... . pgs.) Reply Brief (\_\_\_\_\_ pgs.) Assignment and Cover Sleet Response to Notice of Missing Parts Certificate of Mailing Small Entity Deckuration for Indep. Invento Declaration & POA ( ...... pas ) [1] Dischause Does & Oog & Copy of Internet as Signed Letter ( \_\_\_\_\_pgs) [1] Transmittal Letter, in duplicate Fee Transmittal, in duplicate [1] Drawings ... . Haf sheets includes ..... figures Diber: 36 cited references. RECEIVED. Mo Source des de mande consiste de la company de la consiste de la company de la consiste de la JUL 2 1 2003 LEBALOS, AMERICANOS DAS OFTA ZAF SANA SUMMYVALE



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COMERICABANK-CALIFORNIA SUNNYVALE, CALIFORNIA 94088 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP 58491 A PARTNERSHIP INCLUDING LAW CORPORATIONS 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040 (408) 720-8598 june 25, 2003 141646825 87-87-63 813 8583 -410.00 PAY FOUR HUNDRED TEN & NO/100 **DOLLARS \$** Director of the United States Patent & Trademark Office · JO-THE. ORDER OP #058491# #:121137522#: 1890#67366#6# \*\*0000041000\*

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| Serial/Patent No.: 09/675,576 Client: Intel Corporation           | -   | Filing/Issue Date: <u>September</u>                   | <u> 29,</u> | 2000                         |
|---|-----|---|-------------|------------------------------|
|   | AT  | A STORED ON FLASH MEMORY                              | TN          |                              |
| APPLICATIONS SENSITIVE TO POWE                                    | R-1 |   |             |                              |
| BSTZ File No.: 42390.P4487X                                       |     | Atty/Secty Initials: LJV/KGS/da                       | ım          |                              |
| Date Mailed: June 27, 2003  | _   | Docket Due Date: April 28,                            | 2003        | 3                            |
| The following has been received in the U.S. Pat                   | ent |   | ped h       | ereon:                       |
| <b>XYON MANON</b> /Response (_1pgs.) Rest. Req.                   |     | Express Mail No.:                                     | Check N     | <sub>lo.</sub> <u>5849</u> 1 |
| Appeal Brief ( pgs.) (in triplicate)                              |     | TWO Month(s) Extension of Time                        | Amt:        | \$410.00                     |
| Application - Utility (pgs., with cover and abstract)             |     | Information Disclosure Statement & PTO-1449 (6 pgs.)  | Check h     | ‰ <u>58493</u>               |
| Application - Rule 1.53(b) Continuation ( pgs.)                   |     | Issue Fee Transmittal                                 | Amt:        | \$180.00                     |
| Application - Rule 1.53(b) Divisional ( pgs.)                     |     | Notice of Appeal                                      |             |                              |
| Application - Rule 1.53(b) CIP ( pgs.)                            |     | Petition for Extension of Time-in duplica             | ıte         |                              |
| Application - Rule 1.53(d) CPA Transmittal ( pgs.)                |     | Petition for  |             |                              |
| Application - Design ( pgs.)                                      |     | Postcard  |             |                              |
| Application - PCT ( pgs.)   |     | Power of Attorney ( pgs.)                             |             |                              |
| Application - Provisional ( pgs.)                                 |     | Preliminary Amendment ( pgs.)                         |             |                              |
| ☐ Assignment and Cover Sheet                                      |     | Reply Brief ( pgs.)                                   |             |                              |
| Certificate of Mailing  |     | Response to Notice of Missing Parts                   |             |                              |
| Declaration & POA ( pgs.)   |     | Small Entity Declaration for Indep. Inventor/Small Bu | siness      |                              |
| Disclosure Docs & Orig & Copy of Inventor's Signed Letter ( pgs.) |     | Transmittal Letter, in duplicate                      |             |                              |
| ☐ Drawings: # of sheets includes figures                          |     | Fee Transmittal, in duplicate                         |             |                              |
| Other: 36 cited references.                                       |     |   |             |                              |



## **BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP**

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1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040 (408) 720-8598

**COMERICABANK-CALIFORNIA** SUNNYVALE, CALIFORNIA 94086

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June 25, 2003

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TO THE **ORDER** OF

Director of the United States Patent & Trademark Office

> #121137522# 1890@67366@6@ # O 58 4 9 1 in

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Extension of Time fee for patent

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**COMERICABANK-CALIFORNIA** SUNNYVALE, CALIFORNIA 94086

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Director of the United States Patent & Trademark Office

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| Appli        |        |          | . <u>09</u><br>eptember | 9/675,57   |                                     |   |              |              | JAN 2 9 2      | 2004         |
|              |        |          | ventor _                |            | borah L. See                        |   |              |              |                | 1            |
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|              |        |          | Kevin                   |            |                                     |   |              |              | <b>07</b>      | 17           |
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| 1.           | [ X    | ]        |                         |            | oner is hereby auth<br>ents to:     | orized to charge ir                         | ndicated     | fees and cr  | edit           |              |
|              |        |          |                         |            | int Number 0:<br>int Name           | 2-2666                                      |              |              |                |              |
|              | [ x    | ]        | Charge                  | e Any A    | dditional Fee Requi                 | red Under 37 CFR                            | 1.16 and     | 1.17         |                |              |
|              | ſ      | 1        | Applic                  | ant clai:  | ns small entity stat                | us. See 37 CFR 1.2                          | 27           |              |                |              |
| 2.           | X      |          |                         | nt Encl    |                                     |   |              |              |                |              |
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| FEE          | CAL    | CUL      | ATION                   |            |                                     |   |              |              |                | ļ            |
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| Fee          |        | ee       | Fee                     | Fee        |                                     |   |              |              |                |              |
| Code         | •      | \$)      | Code                    | (\$)       | Fee Description                     |   |              |              | Fee Paid       |              |
| 1001         |        | 50       | 2001                    | 375<br>465 | Utility application                 |   |              |              |                |              |
| 1002         |        | 30<br>20 | 2002<br>2003            | 165<br>260 | Design application Plant filing fee | on filling fee                              |              |              | <del></del>    |              |
| 1003         |        | 20<br>50 | 2003                    | 200<br>375 | Reissue filing fee                  |   |              |              |                |              |
| 1005         |        | 60       | 2005                    | 80         | Provisional appli                   |   |              |              |                |              |
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| 2.           | EXT    | RA       | CLAIM I                 | FEES       |                                     | <del></del>                                 |              | Fee from     |                | _            |
|              |        |          |                         |            | Extra (                             | <u>Claims</u>                               |              | <u>below</u> | Fee Paid       | İ            |
| Tota         | l Clai | me       |                         |            | - 20** <b>=</b>                     |   | x            |              | _              | İ            |
| 1            |        |          | Claims _                |            | -3** =                              |   | x            |              |                |              |
|              |        |          | ndent                   |            | <b>U</b>                            | <del></del>                                 | ^            |              | =              |              |
|              |        |          |                         | siv paic   | l, if greater; For R                | eissues, see belo                           | w.           |              | <del></del>    |              |
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| 1202         |        | 18       | 2202                    | 9          | Claims in excess                    |   |              |              |                | -            |
| 1201         |        | 84       | 2201                    | 42         | Independent clain                   |   |              |              |                |              |
| 1203         |        | 80       | 2203                    | 140        |                                     | nt claim, if not paid                       |              |              |                |              |
| 1204<br>1205 |        | 84<br>18 | 2204<br>2205            | 42<br>9    |                                     | ndent claims over on<br>in excess of 20 and |              |              | •              | 1            |
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#### **FEE CALCULATION (continued)**

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#### ADDITIONAL FEES

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| Large E      | ntity       | Small E       | <u>ntity</u>   |   | •           |
|--------------|-------------|---------------|----------------|---|-------------|
| Fee          | Fee         | Fee           | Fee            |   |             |
| Code         | (\$)        | Code          | (\$)           | Fee Description   | Fee Paid    |
| 1051         | 130         | 2051          | 65             | Surcharge - late filing fee or oath   |             |
| 1052         | 50          | 2052          | 25             | Surcharge - late provisional filing fee or cover sheet                                |             |
| 1053         | 130         | 1053          | 130            | Non-English specification   |             |
| 1812         | 2,520       | 1812          | 2,520          | For filing a request for ex parte reexamination                                       |             |
| 1813         | 8,800       | 1813          | 8,800          | Request for inter parties reexamination   |             |
| 1804         | 920*        | 1804          | 920*           | Requesting publication of SIR prior to Examiner action                                |             |
| 1805         | 1,840*      | 1805          | 1,840*         | Requesting publication of SIR after Examiner action                                   |             |
| 1251         | 110         | 2251          | 55             | Extension for reply within first month  |             |
| 1252         | 410         | 2252          | 205            | Extension for reply within second month   | 410.00      |
| 1253         | 930         | 2253          | 465            | Extension for reply within third month  |             |
| 1254         | 1,450       | 2254          | 725            | Extension for reply within fourth month   |             |
| 1255         | 1,970       | 2255          | 985            | Extension for reply within fifth month  |             |
| 1401         | 320         | 2401          | 160            | Notice of Appeal  |             |
| 1402         | 320         | 2402          | 160            | Filing a brief in support of an appeal  |             |
| 1403         | 280         | 2403          | 140            | Request for oral hearing  |             |
| 1451         | 1,510       | 1451          | 1,510          | Petition to institute a public use proceeding   |             |
| 1452         | 110         | 2452          | 55             | Petition to revive – unavoidable  |             |
| 1453         | 1,300       | 2453          | 650            | Petition to revive - unintentional  |             |
| 1501         | 1,300       | 2501          | 650            | Utility issue fee (or reissue)  |             |
| 1502         | 470         | 2502          | 235            | Design issue fee  |             |
| 1503         | 630         | 2503          | 315            | Plant issue fee   |             |
| 1460         | 130         | 1460          | 130            | Petitions to the Commissioner   |             |
| 1807         | 50          | 1807          | 50             | Processing fee under 37 CFR 1.17(q)   |             |
| 1806         | 180         | 1806          | 180            | Submission of Information Disclosure Stmt   | 180.00      |
| 8021         | 40          | 8021          | 40             | Recording each patent assignment per  |             |
| 4000         | 750         | 0000          |                | property (times number of properties)   |             |
| 1809         | 750         | 2809          | 375            | For filing a submission after final rejection   |             |
| 4044         | 440         | 0044          | e.             | (see 37 CFR 1.129(a))   |             |
| 1814<br>1810 | 110<br>750  | 2814<br>2810  | 55<br>275      | Statutory Disclaimer  |             |
| 1010         | 750         | 2010          | 375            | For each additional invention to be examined  |             |
| 1801         | 750         | 2801          | 375            | (see 37 CFR 1.129(b))   |             |
| 1802         | 900         | 1802          | 900            | Request for Continued Examination (RCE) Request for expedited examination of a design | <del></del> |
| 1002         | 900         | 1002          | 500            | application   |             |
| 1504         | 300         | 1504          | 300            | Publication fee for early, voluntary, or normal pub.                                  | <del></del> |
| 1505         | 300         | 1505          | 300            | Publication fee for republication   |             |
| 1803         | 130         | 1803          | 130            | Request for voluntary publication or republication                                    | <del></del> |
| 1808         | 130         | 1808          | 130            | Processing fee under 37 CFR 1.17(i) (except provisionals                              | \           |
| 1454         | 1,300       | 1454          |                | Acceptance of unintentionally delayed claim for priority                              |             |
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| Other f      | ee (specify | ')            |                | · · · · · · · · · · · · · · · · · · ·   |             |
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|              |             |               |                | SUBTOTAL (3) \$ <u>5</u>  | 90.00       |
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|              |             |               |                |   |             |
| Typed        | or Printe   | d Name:       | <u>Kevin (</u> | G. Shao   |             |
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| ~            |             |               |                |   |             |
| Reg. N       | lumber:     | <u>45,095</u> |                | Telephone Number:(408) 720-830  | 0           |
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| Comp         | plete if Kn<br>ication No  | own:         | 167E E7             | 6  | _                            |
| Filing       | Date Se                    | eptember     | 9/675,57<br>29, 200 |  | RECEIVED                     |
| Group        | p Art Unit _<br>niner Name |              | 21                  | 88<br>88   | JAN 2 9 2004                 |
|              | ney Docket                 |              |                     | 390P4487X  | Contor 01/                   |
| MET          | HOD OF                     | PAYME        | NT (che             | ck one)  | Technology Center 21         |
| 1.           | [ X ]                      |              |                     | ioner is hereby authorized to charge in<br>nents to: | dicated fees and credit      |
|              |                            |              |                     | unt Number <u>02-2666</u><br>unt Name                | · .                          |
|              | [ x ]                      | Charge       | e Any A             | dditional Fee Required Under 37 CFR 1                | .16 and 1.17                 |
|              | [ ]                        | Applic       | ant clai            | ms small entity status. See 37 CFR 1.2               | 7                            |
| 2.           | <u>_x</u> _                | Payme        | ent Encl            | osed: X Check Money Order Other                      |                              |
| FEE          | CALCUL                     | ATION        |                     |  |                              |
| 1.           | BASIC I                    | FILING F     | FEE                 |  |                              |
| Large        | e Entity                   | Small        | Entity              |  |                              |
| Fee          | Fee                        | Fee          | Fee                 |  |                              |
| Code         | <b>\'.</b>                 | Code         | (\$)                | Fee Description                                      | Fee Pald                     |
| 1001         | 750                        | 2001         | 375<br>165          | Utility application filing fee                       | <del></del>                  |
| 1002<br>1003 |                            | 2002<br>2003 | 165<br>260          | Design application filing fee                        |                              |
| 1003         |                            | 2003         | 375                 | Plant filing fee<br>Reissue filing fee               |                              |
| 1005         |                            | 2004         | 80                  | Provisional application filing fee                   |                              |
|              |                            |              | -                   | r vevicional application ining fee                   |                              |
|              |                            |              |                     |  | SUBTOTAL (1) \$ 0.00         |
| 2.           | <b>EXTRA</b>               | CLAIM        | <b>FEES</b>         |  | Fee from                     |
|              |                            |              |                     | Extra Claims   | <u>below</u> <u>Fee Paid</u> |
| Tota         | l Claims                   |              |                     | - 20** <b>=</b>                                      | x =                          |
|              | pendent                    | Claims       |                     | -3** =   | x =                          |
|              | iple Depe                  |              |                     | <del>-</del>   | ^                            |
|              |                            |              | slv paid            | d, if greater; For Reissues, see belo                |                              |
| Large        | e Entity                   | Small        | Entity              | -, g a   |                              |
| Fee          | Fee                        | Fee          | Fee                 |  |                              |
| Code         | e (\$)                     | Code         | (\$)                | Fee Description                                      |                              |
| 1202         | 18                         | 2202         | 9                   | Claims in excess of 20                               |                              |
| 1201         |                            | 2201         | 42                  | Independent claims in excess of 3                    |                              |
| 1203         |                            | 2203         | 140                 | Multiple dependent claim, If not paid                |                              |
| 1204         |                            | 2204         | 42                  | **Reissue independent claims over o                  |                              |
| 1205         | 18                         | 2205         | 9                   | **Reissue claims in excess of 20 and                 | i over original patent       |
|              |                            |              |                     |  | SUBTOTAL (2) \$ 0.00         |

# FEE CALCULATION (continued) 3. ADDITIONAL FEES

| Code        | ee           | Small En<br>Fee | Fee     |   |                      |
|-------------|--------------|-----------------|---------|---|----------------------|
| Code        |              |                 |         |   |                      |
|             |              | Code            | (\$)    | Fee Description   | Fee Paid             |
| INAL        |              | 2051            | 65      | Surcharge - late filing fee or oath                               |                      |
| 1052        |              | 2052            | 25      | Surcharge - late provisional filing fee or cover sheet            |                      |
|             |              | 1053            | 130     | Non-English specification   | <del></del>          |
|             |              | 1812            | 2,520   | For filing a request for ex parte reexamination                   |                      |
| •           |              | 1813            | 8,800   | Request for inter parties reexamination                           |                      |
|             |              | 1804            | 920*    | Requesting publication of SIR prior to Examiner action            |                      |
|             |              | 1805            | 1,840*  | Requesting publication of SIR after Examiner action               |                      |
| -           |              | 2251            | 55      | Extension for reply within first month                            |                      |
|             |              | 2252            | 205     | Extension for reply within second month                           | 410.00               |
|             |              | 2253            | 465     | Extension for reply within third month                            |                      |
|             |              | 2254            | 725     | Extension for reply within fourth month                           |                      |
|             |              | 2255            | 985     | Extension for reply within fifth month                            |                      |
|             |              | 2401            | 160     | Notice of Appeal  |                      |
| 402         | 320          | 2 <b>402</b>    | 160     | Filing a brief in support of an appeal                            |                      |
| 403 2       | 280          | 2403            | 140     | Request for oral hearing  |                      |
| 451 1,5     | 510          | 1451            | 1,510   | Petition to institute a public use proceeding                     |                      |
|             |              | 2452            | 55      | Petition to revive – unavoidable                                  |                      |
|             |              | 2453            | 650     | Petition to revive - unintentional                                |                      |
|             |              | 2501            | 650     | Utility issue fee (or reissue)                                    |                      |
|             |              | 25 <b>02</b>    | 235     | Design issue fee  |                      |
|             |              | 25 <b>03</b>    | 315     | Plant issue fee   |                      |
|             |              | 1460            | 130     | Petitions to the Commissioner                                     |                      |
| 807         |              | 1807            | 50      | Processing fee under 37 CFR 1.17(q)                               |                      |
|             |              | 1806            | 180     | Submission of Information Disclosure Stmt                         | <u>180.<b>00</b></u> |
| 3021        | 40           | B <b>021</b>    | 40      | Recording each patent assignment per                              |                      |
|             |              | 2000            | 075     | property (times number of properties)                             |                      |
| 1809        | 750          | 2809            | 375     | For filing a submission after final rejection                     |                      |
| 044         | 140          | 2814            | 55      | (see 37 CFR 1.129(a))   | <del></del>          |
|             |              | 2814<br>2810    | 375     | Statutory Disclaimer For each additional invention to be examined |                      |
| 1010        | 750          | 2010            | 3/3     | (see 37 CFR 1.129(b))   |                      |
| 801         | 750          | 2801            | 375     | Request for Continued Examination (RCE)                           | <del></del>          |
|             |              | 1802            | 900     | Request for expedited examination of a design                     |                      |
|             | J <b>U</b> U | .002            | 000     | application   |                      |
| 504         | 300          | 1504            | 300     | Publication fee for early, voluntary, or normal pub.              |                      |
|             |              | 1505            | 300     | Publication fee for republication                                 |                      |
|             |              | 1803            | 130     | Request for voluntary publication or republication                |                      |
| 808         | 130          | 1808            | 130     | Processing fee under 37 CFR 1.17(i) (except provisionals)         |                      |
| 454 1,      | 300          | 1454            | 1,300   | Acceptance of unintentionally delayed claim for priority          |                      |
| Other fee ( | enocify)     |                 |         |   |                      |
|             |              |                 |         |   |                      |
| Other fee ( | (specify)    |                 |         |   |                      |
|             | _            |                 |         | SUBTOTAL (3) \$ <u>5</u>  | 90.00                |
| Reduced b   | <del> </del> | ling Fee I      | Paid    |   |                      |
| SUBMITT     |              |                 |         |   |                      |
| Typed or    | Printed      | Name:           | Kevin ( | ,                           |                      |
| Signature   | e:           | X               |         | Date: 6/27/20   | 2                    |
|             |              |                 |         | Telephone Number:(408) 720-8300                                   | _                    |